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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 INSTITUTE OF MEDICAL EDUCATION, )  
INC., )

12 Plaintiff, )

13 v. )

14 WESTERN ASSOCIATION OF SCHOOLS )  
AND COLLEGES; and DOES 1 through 10 )  
inclusive, )

15 Defendants. )  
16

Case No.: 11-CV-05755-LHK

ORDER TO SHOW CAUSE

17 A case management conference was held in this matter on September 19, 2012. Plaintiff  
18 Institute of Medical Education, Inc. ("Plaintiff") failed to appear at the case management  
19 conference. Moreover, the parties failed to file a case management statement. Alicia Ryan  
20 Kennon, counsel for Defendant Western Association of Schools and Colleges, stated that the  
21 failure to file a case management statement was due to difficulties contacting counsel for Plaintiff.  
22 Counsel for Defendant informed the Court that Plaintiff has substituted counsel multiple times.  
23 See ECF Nos. 30, 46. Counsel for Defendant stated that she was only able to contact Plaintiff's  
24 most recent attorney a few days prior to the case management conference. Counsel for Defendant  
25 also informed the Court that, thus far, no discovery has been taken in this matter (although Plaintiff  
26 recently noticed several depositions). The Complaint in this matter was filed almost one year ago  
27 on November 30, 2012, and the first case management conference was held on June 6, 2012. ECF  
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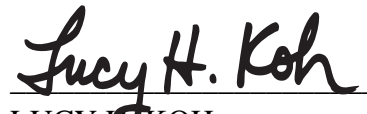
Nos. 1, 40. Fact discovery is set to close in approximately two months, on November 16, 2012.

ECF No. 40.

In light of Plaintiff's failure to appear at the case management conference, failure to file a case management statement, and failure to conduct discovery, the Court hereby ORDERS Plaintiff to show cause by October 3, 2012, why this case should not be dismissed for failure to prosecute. A hearing on this Order to Show Cause shall be held on October 10, 2012 at 2:00 p.m. Plaintiff's failure to respond to this Order and to appear at the October 10, 2012 hearing will result in dismissal of this action with prejudice for failure to prosecute.

**IT IS SO ORDERED.**

Dated: September 20, 2012



LUCY H. KOH  
United States District Judge